

# OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**

Secretary to the Commission

**VOLUME 15. Part 9. Pp. 175—190**

## **OPINION 444**

Validation under the Plenary Powers of the specific name  
*obscura* Berezowsky & Bianchi, 1891, as published in the  
combination *Larvivora obscura* (Class Aves)

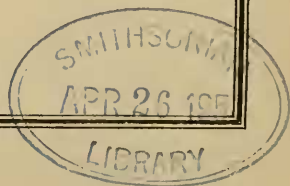
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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 444

### A. The Officers of the Commission

*Honorary Life President*: Dr. Karl JORDAN (*British Museum (Natural History),  
Zoological Museum, Tring, Herts., England*)

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*President*: Professor James Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*)  
(12th August 1953)

*Vice-President*: Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

*Secretary*: Mr. Francis HEMMING (*London, England*) (27th July 1948)

### B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election  
as prescribed by the International Congress of Zoology)

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(1st January 1947)

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Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

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July 1948)

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Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)  
(12th August 1953)

Dr. K. H. L. KEY (*Commonwealth Scientific and Industrial Research Organisation,  
Canberra, A.C.T., Australia*) (15th October 1954)

Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*)  
(29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum v Praze, Prague, Czechoslovakia*) (30th  
October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*)  
(6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November  
1954)

Professor Ernst MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge,  
Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*)  
(16th December 1954)

## OPINION 444

VALIDATION UNDER THE PLENARY POWERS OF THE SPECIFIC NAME "OBSCURA" BEREZOWSKY & BIANCHI, 1891, AS PUBLISHED IN THE COMBINATION "LARVIVORA OBSCURA" (CLASS AVES)

**RULING :—**(1) Under the Plenary Powers the under-mentioned specific name is hereby suppressed for the purposes both of the Law of Priority and the Law of Homonymy : *obscura* Brehm (C.L.), 1831, as published in the combination *Cyanecula obscura*.

(2) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name Number 1126 : *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura*, as validated by the suppression under the Plenary Powers in (1) above of the senior secondary homonym *obscura* Brehm, 1831, as published in the combination *Cyanecula obscura* (Class Aves).

(3) The under-mentioned specific names are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Numbers severally specified below :—

- (a) *obscura* Brehm (C.L.), 1831, as published in the combination *Cyanecula obscura*, as suppressed under the Plenary Powers in (1) above (Name No. 373) ;

- (b) *hachisukae* Ripley, 1952, as published in the combination *Erithacus hachisukae* (a junior objective synonym of *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura*, as validated under the Plenary Powers in (1) above) (Name No. 374).

## I. THE STATEMENT OF THE CASE

On 18th December 1954 Dr. Charles Vaurie (*The American Museum of Natural History, New York*) submitted the following application to the International Commission on Zoological Nomenclature for the validation under the Plenary Powers of the specific name *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura* (Class Aves) by the suppression of the senior secondary homonym *obscura* Brehm (C.L.), 1831, as published in the combination *Cyanecula obscura*:—

**Proposed use of the Plenary Powers to validate the specific name  
“*obscura*” Berezowsky & Bianchi, 1891, as published in the  
combination “*Larvivora obscura*” (Class Aves)**

By CHARLES VAURIE

(*The American Museum of Natural History, New York*)

The object of the present application is to ask the Commission to use its Plenary Powers for the purpose of validating the specific name *Obscura* Berezowsky & Bianchi, 1891 (*Aves Exped. Potanini Gan-su* : 97, pl. 1, fig. 2), as published in the combination *Larvivora obscura*, a name which is an invalid junior secondary homonym, in the genus *Luscinia* Forster, 1817, of the specific name *obscura* Brehm (C.L.), 1831 (*Handb. Naturgesch. Vögel Deutschl.* : 353), as published in the combination *Cyanecula obscura*.

2. The bird described as *Larvivora obscura* by Berezowsky & Bianchi is rare and in consequence the name *obscura* has not been cited often in the literature. It has, however, been in continuous use for sixty-one

years (i.e. up to 1952) and has been used in every ornithological standard work such as Sharpe, 1903, *Hand List of the Genera and Species of Birds* (4 : 157) ; Hartert, 1910, *Die Vögel der paläarktischen Fauna* (1) : 741 ; Smythies, 1953, *The Birds of Burma* : 104, and the entire Russian ornithological literature.

3. In 1952 (*Postilla*, New Haven No. 13 : 24), however, Ripley pointed out that the name *obscura* Berezowsky & Bianchi, 1891, is invalid by reason of being a junior secondary homonym in the genus *Luscinia* of the name *obscura* Brehm, 1804, and replaced it by the name *hachisukae* in the combination *Erithacus hachisukae*. The name *obscura* Brehm, however, has never once been used in ornithology since it was first published, for it is a junior subjective synonym of *cyanecula* Meisner, 1804 (*Syst. Verz. Vög. Schweiz.* : 30), as published in the combination *Sylvia cyanecula* (= *Luscinia svecica cyanecula* (Meisner)). Even as a synonym, the name *obscura* Brehm has apparently been cited only once, namely, by Hartert (1910, *Die Vögel der paläarktischen Fauna* (1) : 748). It should be noted also that in spite of his having cited this name as a synonym, Hartert (: 741) retained the name *obscura* Berezowsky & Bianchi in combination with the same generic name (*Luscinia*) as that under which he had cited *obscura* Brehm (as a junior synonym of *Luscinia svecica cyanecula*).

4. There is thus no danger whatever of the name *obscura* Berezowsky & Bianchi, 1891 (which as already explained has been in continuous use for over sixty years), being confused with the name *obscura* Brehm, which was a junior synonym of another name (*cyanecula* Meisner) at the time when it was first published and has not been adopted by a single author in the period of one hundred and twenty-three years which has since elapsed. In these circumstances it is considered that no useful purpose would be served by rejecting and replacing the name *obscura* Berezowsky & Bianchi and that the interests of stability in nomenclature will be promoted by the Commission using its Plenary Powers to prevent this change from taking place.

5. The present application is submitted to the Commission after consultation with, and in agreement with, Professor Ernst Mayr (*Museum of Comparative Zoology, Harvard University, Mass.*), and with my colleague Dr. Dean Amadon (*Museum of Natural History, New York*) who writes : " I am in full agreement with Dr. Vaurie and support the present application ".

6. For the reasons set out above, the International Commission is asked :—

- (1) to use its Plenary Powers to suppress the under-mentioned specific name for the purposes both of the Law of Priority and of those of the Law of Homonymy : *obscura* Brehm (C.L.), 1831, as published in the combination *Cyanecula obscura* ;

- (2) to place the under-mentioned specific name on the *Official List of Specific Names in Zoology*: *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura* ;
- (3) to place the under-mentioned specific names on the *Official Index of Rejected and Invalid Specific Names in Zoology* :—
  - (a) *obscura* Brehm (C.L.), 1831, as published in the combination *Cyanecula obscura* and as suppressed under the Plenary Powers under (1) above ;
  - (b) *hachisukae* Ripley, 1952, as published in the combination *Erithacus hachisukae* (a junior objective synonym of *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura*).

## II. THE SUBSEQUENT HISTORY OF THE CASE

**2. Registration of the present application :** Upon the receipt of Dr. Vaurie's application the question of the validation under the Plenary Powers of the specific name *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura*, was allotted the Registered Number Z.N.(S.) 876.

**3. Support received from Ernst Mayr (Museum of Comparative Zoology at Harvard College, Cambridge, Mass., U.S.A.) and Dean Amadon (The American Museum of Natural History, New York) prior to the publication of the present application :** As stated in paragraph 5 of the application submitted in this case, the action there recommended was supported both by Professor Ernst Mayr (*Museum of Comparative Zoology at Harvard College, Cambridge, Mass., U.S.A.*) and by Dr. Dean Amadon (*The American Museum of Natural History, New York*).

**4. Publication of the present application :** The present application was sent to the printer on 31st December 1954 and was



published on 28th February 1955 in Part 3 of Volume 11 of the *Bulletin of Zoological Nomenclature* (Vaurie, 1955, *Bull. zool. Nomencl.* **11** : 93—94).

**5. Issue of Public Notices :** Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 28th February 1955 (a) in Part 3 of Volume 11 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Vaurie's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to four general zoological serial publications and to thirteen ornithological publications in various parts of the world.

**6. Comments received after the publication of the present application and before the issue of the Voting Paper in regard thereto :** During the six-month period following the publication of the present application in the *Bulletin of Zoological Nomenclature* and the issue of Public Notices of the action proposed to be taken under the Plenary Powers in the present case three communications were received in the Office of the Commission. These were from : (a) Professor J. Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*), who as President of the Commission, supported the action proposed as being in harmony with the Principle of Conservation adopted by the Copenhagen Congress in 1953 ; (b) Professor J. Dillon Ripley (*Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.*), who, as an ornithologist, objected to the action proposed ; (c) Dr. C. L. Remington (*Yale University, Osborn Zoological Laboratory, New Haven, Connecticut, U.S.A.*) who, as a non-ornithologist, objected to the use of the Plenary Powers in the present case. The communications so received are reproduced in the immediately following paragraphs.

**7. Support received from J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.) :** On 2nd June 1955 Professor J. Chester

Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) wrote to the Office of the Commission, commenting on a number of recently published cases. His observations regarding the present case was as follows :—

This request seems to be in accordance with the Principle of Conservation agreed upon at Copenhagen.

**8. Objection received from S. Dillon Ripley (Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.) :** On 13th October 1956 Professor S. Dillon Ripley (*Yale University, Peabody Museum of Natural History, New Haven, Connecticut, U.S.A.*) addressed the following statement to the Office of the Commission regarding the present case :—

I should like to state herewith my objection to the proposal made to the Commission by Dr. Charles Vaurie, 1955, *Bull. zool. Nomencl.* **11**(3) : 93—94, for the use of the Plenary Powers to validate the specific name *obscura* Berezowsky and Bianchi, 1891, as published in the combination *Larvivora obscura* (Class Aves).

As Dr. Vaurie states correctly, the name *Larvivora obscura* Berezowsky and Bianchi has been very seldom used in ornithological literature, as it refers to an obscure and little-known chat-like bird from West China of which less than a dozen specimens exist in museums of the world.

Unfortunately an older use of the name *obscura* exists. This is *Cyanecula obscura* C. L. Brehm, 1831 (*Handb. Naturgesch. Vög. Deutsch.* : 353). Both these names, the latter a form a Blue-throat, are now found in combination with the genus *Luscinia* Forster, 1817, or *Erithacus* Cuvier, 1800, depending on the taste of the systematic revisor, in which case the name of Berezowsky and Bianchi becomes an invalid secondary junior homonym.

Dr. Vaurie points out that the name *obscura* Berezowsky and Bianchi has been in continuous use for sixty-one years, from 1891, when it was published (*Ptitzi Kansuskago Puteshestviya G.N. Potanina* : 97, pl. 1, fig. 2) down to 1952 when I pointed out (*Postilla, Yale Peabody Museum*. No. 13 : 24) that the name was pre-occupied, and proposed the substitute name, *Erithacus hachisukae*.

As I understand it this proposed use of the Plenary Powers comes under the Principle of Conservation which was approved at the



Copenhagen meeting and on which several drafts are set forth, (1953, CDZN, Appendix 2 : 119—122). My interpretation of the intent of these Plenary Powers is that their use should be reserved for cases in which hardship would be imposed on a considerable body of the scientific world, especially persons not concerned with taxonomy, but experimentalists or persons in related fields, as well as the laity, amateurs, who may use the names in field guides, etc

The use of the name *Larvivora obscura* Berezowsky and Bianchi has not been copious in ornithological literature. I find for it the following :—

1. (a) original description, 1891, tom. cit. supra.

(b) a redescription of *Larvivora obscura* by Karl Deditius, 1897, *Journ. f. Ornith.* 45 : 70, in discussing the publication of Berezowsky and Bianchi's work on Kansu birds.

(c) a discussion of the Berezowsky and Bianchi publication by H. E. Dresser and E. Delmar Morgan, 1899, *Ibis*, 5 (7th Ser.) : 273—274.

(d) Sharpe, R. B., 1903, *Hand List of the Genera and Species of Birds*, 4 : 157.

(e) Hartert, E., 1910, *Die Vögel der paläarktischen Fauna*, 1 : 741.

(f) Garthwaite, P. F., and Ticehurst, C. B., 1937, *Jour. Bombay nat. Hist. Soc.* 39 : 555.

(g) Smythies, B. E., 1953, *Birds of Burma* : 104. (Although I helped Mr. Smythies with the checking of the nomenclature of his volume, during the years 1947—1948 when the Manuscript was then in preparation, I had not at that time been appraised of the facts regarding the status of Berezowsky and Bianchi's name, and so was unable to advise him to modify it.)

Dr. Vaurie says that the name of Berezowsky and Bianchi is current in the entire Russian literature, but I have been unable to find it in those works of Buturlin, Dementiev, Portenko and Johansen which I have been able to consult.\*

Dr. Vaurie states in his Application (*cit. supra.*) that the older name *obscura* Brehm has never once been used in ornithology since

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\* For the information of the Commission, I should explain that the authors cited are the principal authors now living who are currently writing about the birds of Siberia and adjacent areas. Thus a specialist, in this case an ornithologist, would understand that I was referring to the authors who would be expected to have mentioned this species by this name in their work. They are responsible for the main body of "Russian ornithological literature". Thus not finding this name used in their work is for me a significant fact.

it was first published, for it is a junior subjective synonym of *cyanecula* Meisner, 1804, now currently used in the combination *Luscinia svecica cyanecula* or *Erithacus svecicus cyaneculus*.

I find however, the following uses of the name *obscura* Brehm :

2. (a) original description, 1831, tom. cit. supra.

(b) Dubois, Ch. F., 1854, *Planches col. Oiseaux de la Belgique*, 1 : pl. 67a and p. 67a. In this instance the form *obscura* is recognised and is not a junior subjective synonym. The author points out in the place and description that this phenotype of the Blue-throat lacks the white chest band and tends to lack the white throat spot, and that he is uncertain whether Brehm's name thus refers to a separate species, or a separate variant.

(c) Brehm, 1855, *Naumannia*, 1855 : 280

(d) Seebohm, H., 1881, in *Cat. Birds Brit. Mus.* 5 : 311\*

(e) Dubois, A., 1887, *Faunes des Vertebres de la Belg.*, 1 : 330\*

(f) Naumann, J. F., 1905, *Naturges. der Vög. Mitteleuropas*, 1 : 31, 35, 36, 43

(g) Hartert, E., 1910, *Die Vögel der paläarktischen Fauna*, 1 : 748\*

(h) Ripley, S. D., 1952, *Postilla* No. 13 : 24, and Addendum to No. 13, 1954, *Postilla* : 1.

Dr. Vaurie notes that Hartert (tom. cit.) retains both names in combination with the same generic name. He assumes that this is evidence, especially in view of no other citations of Brehm's name having been made in the one hundred and twenty-three years that have elapsed since it was proposed, that there will never be any confusion between the two names. I can only point out that Brehm's name on the contrary has been cited a number of times, actually twice within the last fifty years, in 2(f) and (g) above. In this connection I had not noticed the occurrence of these two names in the same genus as both are so little known. I can only assume that Dr. Hartert's action was a slip on his part, as taxonomists are by no means infallible. In my case, the matter was pointed out to me by the late Marquess M. Hachisuka, and Marquis Y. Yamashina. The latter in a later communication to me of May 25, 1952, wrote :

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\* In the cases cited above, the name *obscura* Brehm was used only as a subjective junior synonym. S.D.R.

“ Hachisuka and I were working on pre-occupied names together and because this bird does not seem to have a substitute name I want (it to be named) as *Erithacus hachisukae* because Hachisuka was working on Chinese birds for over ten years and I think it is a good memory for him ”.

In view of the proven use of the name *obscura* C. L. Brehm, 1831, within the last fifty years, I recommend that *obscura* Berezowsky and Bianchi, 1891, be allowed to remain an invalid junior secondary homonym under the Rules.

**9. Objection received from C. L. Remington (Yale University, Osborn Zoological Laboratory, New Haven, Connecticut, U.S.A.) :** On 25th October 1955 Dr. C. L. Remington (*Yale University, Osborn Zoological Laboratory, New Haven, Connecticut, U.S.A.*) addressed the following letter to the Commission in regard to the present case :—

The purpose of this letter is to object to the proposal of Dr. Charles Vaurie that the specific name *obscura* Berezowsky and Bianchi, 1891, as published in the combination *Larvivora obscura*, be validated by the Commission by means of its Plenary Powers. I am not an ornithologist and am therefore commenting only on a general principle of the use of the Plenary Powers to suppress and validate names. The substance of my view, doubtless stated similarly before by many other systematists, is that senior homonyms should never be suppressed unless their retention would result in loss of a name of unquestioned establishment by usage and familiar to numerous biologists, particularly for use in fields other than taxonomy. Taxonomists are necessarily accustomed to unavoidable name changes, and the loss of a junior homonym familiar only to a small group of specialists in taxonomy should never be sufficient cause for validation by the Commission of such a junior homonym. The present case would be a particularly regrettable one for use of the Plenary Powers, because : (1) the name (and in a bibliographic sense, the bird) is of minor importance ; (2) the senior homonym has been used approximately as often as the junior homonym, according to Dr. S. D. Ripley ; and (3) a perfectly proper and routine proposal of a *nomen novum* had been published well in advance of Dr. Vaurie's petition and was even cited by him in that petition. I hope that the Commission will reject the proposal and will consistently guard against the weakening of the International Rules by unnecessary use of the Plenary Powers.

**10. Receipt of two communications in regard to the present case after the expiry of the Prescribed Six-Month Waiting Period**

**and subsequent to the Issue of the Voting Paper in regard thereto :** Two communications in regard to this case were received after the expiry of the Prescribed Six-Month Waiting Period and subsequent to the issue of the Voting Paper relating thereto (paragraph 13 below). These communications were from : (a) Professor Ernst Mayr commenting on the communications received from Professor Ripley (paragraph 8 above) and from Dr. Remington (paragraph 9 above) ; (b) Dr. Nagamichi Kuroda, President of the Ornithological Society of Japan, who objected to the action proposed in this case. These communications are reproduced in the immediately following paragraphs.

**11. Comment received in November 1955 from Professor Ernst Mayr (Museum of Comparative Zoology at Harvard College, Cambridge, U.S.A.) :** On 21st November 1955 Professor Ernst Mayr (*Museum of Comparative Zoology at Harvard College, Cambridge, Mass., U.S.A.*), who had previously intimated his support for the action proposed in the present case (paragraph 3 above) addressed the following letter to the Office commenting on the communications received from Professor S. Dillon Ripley and Dr. C. L. Remington (reproduced in paragraphs 8 and 9 respectively of the present *Opinion*) :—

There have been various disturbing features about this proposal. I can find no evidence in support of the statement that the two names *obscura* have been used with about equal frequency. In my searches through the literature I have not found a single employment of the name *obscura* Brehm in the primary literature since the original publication of this deadborn synonym.

There are two other aspects of this case which perhaps deserve attention. Mr. Remington perhaps does not realize the amount of bibliographic work done in ornithology and the fact that with just a little collaboration among ornithologists we can now have a completely stable nomenclature. The old name *obscura* was widely known among ornithologists but deliberately ignored as a *nomen oblitum*. It would have been an easy matter for Dr. Ripley to ask the Commission to place the universally used name on the *List* in line with the principle expressed later at Copenhagen as the Conservation Principle.

**12. Objection received from Nagamichi Kuroda (Ornithological Society of Japan, Tokyo) :** On 20th December 1955 Dr. Nagamichi

Kuroda (*Ornithological Society of Japan, Tokyo*) addressed the following letter regarding the present case to the Office of the Commission :—

It came to our attention that in the *Bull. zool. Nomencl.* **11**(3) : 93—94, 1955, Dr. Charles Vaurie has proposed to the Commission that they use their Plenary Powers to make the name *Larvivora obscura* Berezowsky and Bianchi a *nomen conservandum*, and place the earlier name *Cyanecula obscura* Brehm, as well as *Erithacus hachisukae* Ripley on the list of rejected names of species in zoology.

However, Brehm's name *Cyanecula obscura* has, in reality, been used in the following well-known scientific literature :—

(a) The original description, 1831. (b) Dubois, Ch. F., *Pl. col. des Ois. de la Belgique*, 1854, **1** : pl. 67a and p. 67a. (c) Brehm, 1855, *Naumannia*, 1855, p. 280. (d) Seebohm, H., 1881, in *Cat. Birds in Brit. Mus.*, **5**, p. 311.\* (e) Dubois, A., 1887, *Faune des Vertébrés de la Belgique*, **1**, p. 330.\* (f) Naumann, J. F., 1905, *Naturges. der Vög. Mitteleuropas*, **1**, pp. 31, 35, 36, 43. (g) Hartert, E., 1910, *Die Vög. der paläarkt. Fauna*, **1**, p. 748.\*

It is merely accidental that no ornithologist had referred to the fact that the name *Larvivora obscura* Berezowsky and Bianchi is pre-occupied by *obscura* of Brehm until this was pointed out by Yamashina, Hachisuka and Ripley, who (the last named) has correctly proposed a new name, *Erithacus hachisukae*.

From the above, we recommend that *obscura* Berezowsky and Bianchi, 1891, be replaced by *Erithacus hachisukae* under the Rules, and thus would express opposition to Dr. Vaurie's proposal.

### III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

**13. Issue of Voting Paper V.P.(55)25** : On 9th November 1955 a Voting Paper (V.P.(55)25) was issued in which the Members

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\* In the cases cited above, the name *obscura* Brehm was used only as a subjective junior synonym.



of the Commission were invited to vote either for, or against, "the proposal relating to the specific name *obscura* Berezowsky & Bianchi, 1891, as published in the combination *Larvivora obscura*, as set out in Points (1) to (3) in paragraph 6 on page 94 of Volume 11 of the *Bulletin of Zoological Nomenclature*" [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

**14. The Prescribed Voting Period :** As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 9th February 1956.

**15. Particulars of the Voting on Voting Paper V.P.(55)25 :** At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55) 25 was as follows :—

- (a) *Affirmative Votes had been given by the following twenty-four (24) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Vokes ; Bodenheimer ; Bradley (J.C.) ; Mayr ; Riley ; Dymond ; Prantl ; Jaczewski ; Lemche ; Esaki ; Mertens ; do Amaral ; Hankó ; Key ; Boschma ; Sylvester-Bradley ; Cabrera ; Stoll ; Bonnet ; Tortonese ; Kühnelt ; Hemming ;

- (b) *Negative Votes, one (1) :*

Miller ;

- (c) *Voting Papers not returned :*

None.

**16. Declaration of Result of Vote :** On 10th February 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(55)25, signed a Certificate that the Votes cast were as set out in paragraph 15 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

**17. Preparation of the Ruling given in the present "Opinion" :** On 9th November 1956 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)25.

**18. Original References :** The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

*hachisukae*, *Erithacus*, Ripley, 1952, *Postilla*, New Haven No. 13 : 24

*obscura*, *Cyanecula*, Brehm (C.L.), 1831, *Handb. Naturgesch. Vögel Deutschl.* : 353

*obscura*, *Larvivora*, Berezowsky & Bianchi, 1891, *Aves Exped. Potanini Gan-su* : 97, pl. 1, fig. 2

**19.** The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

20. The present *Opinion* shall be known as *Opinion* Four Hundred and Forty-Four (444) of the International Commission on Zoological Nomenclature.

DONE in London, this Ninth day of November, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission  
on Zoological Nomenclature*

FRANCIS HEMMING